IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.2876 OF 2005

The State of Maharashtra ... Applicant
V/s
Nitin alias Bandu Niwasrao Pawar ... Respondent
Shri A.M. Shingarpure,APP for the State
None present for respondent

CORAM: V.G. PALSHIKAR
AND
R.C.CHAVAN,JJ.
DATE : 30TH JUNE 2005.

P.C.

1. This application is directed against an order of acquittal passed by the learned trial judge.

2. The case of prosecution was that consent of prosecutrix for sexual intercourse was obtained by the accused. After examining the record and averments of application we are ofthe view that learned trial judge was rightly held that consent was not obtained by her and hence no case has made out, the accused was therefore, acquitted from charge. Therefore, we have no reason to interfer with the judgment of learned trial judge.Accordingly,leave is rejected.

V.G. PALSHIKAR,J.

R.C. CHAVAN,J.